

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

NANCY LEWIS,
Plaintiff,

vs.

MCKINLEY COUNTY BOARD
OF COUNTY COMMISSIONERS,

Defendant.

No. 10-cv-0596 JAP/RLP

MEMORANDUM OPINION AND ORDER

On September 23, 2010, Plaintiff Nancy Lewis filed a Motion for Summary Judgment (Doc. No. 17). A few hours after Lewis filed her Motion for Summary Judgment, the Court, unaware that Lewis had filed a Motion for Summary Judgment,¹ entered a Final Order of Dismissal (Doc. No. 16) dismissing Lewis' Complaint (Doc. No. 1) against Defendant McKinley County Board of County Commissioners.

Because the Court has already dismissed Lewis' Complaint for failure to state a claim for which relief can be granted, Lewis' Motion for Summary Judgment is moot and is DENIED.



SENIOR UNITED STATES DISTRICT COURT JUDGE

¹ Because Lewis is *pro se* and did not file her motion electronically, her Motion For Summary Judgment did not appear in the Court's electronic docket until September 24, 2010.